

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

SALVADOR LOPEZ,)	
)	
Petitioner)	
)	
vs.)	No. CIV-05-685-C
)	
ERIC FRANKLIN, Warden,)	
)	
Respondent)	

ORDER

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Bana Roberts, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). On June 23, 2005, Judge Roberts denied Petitioner's Motion for Leave to Proceed in Forma Pauperis, and required Petitioner to pay the \$5.00 filing fee on or before July 13, 2005. On July 26, 2005, Judge Roberts entered a Report and Recommendation concluding that because Petitioner had not paid the filing fee as ordered by the Court, the action should be dismissed without prejudice, unless Petitioner sought a timely extension within which to make the payment, or showed cause for such failure. Petitioner has not complied, or filed any objection.

Accordingly, the Report and Recommendation is adopted, and this action will be dismissed unless, by September 20, 2005, Petitioner pays the initial filing fee, seeks a timely extension within which to make the payment, or shows cause for such failure.

IT IS SO ORDERED this 31st day of August, 2005.



ROBIN J. CAUTHRON
United States District Judge